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Attorneys for Defendant Vector Marketing Corporation

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ALICIA HARRIS, as an individual and on behalf of all others similarly situated,

No.: CV 08-5198 EMC

**STIPULATION AND [PROPOSED]
ORDER RE JENNIFER
SEPULVEDA**

Complaint Filed: October 15, 2008
Trial Date: June 6, 2011

Plaintiffs,
vs.
**VECTOR MARKETING
CORPORATION, a Pennsylvania
corporation; and DOES 1 through 20,
inclusive.**

Defendants.

1 Plaintiff Alicia Harris (“plaintiff” or “Harris”) and Defendant Vector Marketing
2 Corporation (“defendant” or “Vector”) enter into this stipulation with reference to the
3 following facts:

4 **RECITALS**

5 A. On or about July 16, 2010, Vector served plaintiff’s sister, Jennifer
6 Sepulveda (“Sepulveda”), with whom plaintiff resided during the summer of 2008,
7 with a subpoena to testify at a deposition set for July 28, 2010 and further requested
8 the production of, among other things, documents and materials related to plaintiff’s
9 services as a Sales Representative for defendant.

10 B. In response to said subpoena for testimony and production of documents,
11 plaintiff represents, pursuant to Federal Rule of Civil Procedure 26, that Sepulveda
12 has not and does not have, within her possession, custody, or control: (i) any
13 discoverable information, along with the subjects of that information, that plaintiff
14 would use in support of her claims; and (ii) any information that may lead to the
15 further discovery of any matter related to plaintiff’s claims or defendant’s defenses.

16
17 **STIPULATION**

18 NOW, THEREFORE, it is hereby stipulated by the parties, through their
19 respective counsel of record, as follows:

20 1. Plaintiff shall not identify Sepulveda or call her to testify as a witness in
21 this action.

22 2. In connection with any pre-trial or other proceedings in this action,
23 including, but not limited to written or oral discovery, any pleadings filed with the
24 Court, or oral argument made by plaintiff’s counsel, plaintiff shall not:

25 (i) identify Sepulveda as a witness in this action with information, either direct,
26 indirect, or in any other derivative manner, related to the existence or non-existence of
27 any fact relevant to plaintiff’s claims or defendant’s defenses in this action; or

(ii) introduce or rely upon any evidence directly, indirectly, or in any other derivative manner provided to plaintiff by Sepulveda.

IT IS SO STIPULATED.

Dated: July 21, 2010

REED SMITH LLP

By _____ /s/

Roxanne M. Wilson
Attorneys for Defendant
VECTOR MARKETING CORPORATION

Dated: July 21, 2010

MARLIN & SALTZMAN LLP

By /s/

**Christina Humphrey
Attorneys for Plaintiff
ALICIA HARRIS**

ORDER

Based on the above stipulation, IT IS SO ORDERED.

Dated: 7/26, 2010

Honorable Edward M. Chen
United States District Judge

IT IS SO ORDERED

Judge Edward M. Chen

Edward M. Chen